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CONFIRMATION NO.

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Striker Striker & Stenby 103 East Neck Road Huntington, NY 11743

EXAMINER

GONZALEZ, JULIO C

PAPER NUMBER ART UNIT 2834

DATE MAILED: 11/30/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

4.5

Application to the property of		Application No.	Applicant(s)	
## Defice Action Summary Examiner				
Examiner Julio C. Gonzelez 2834	•			
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* See the attached detailed Office action for discourse and the state of the state	14)☐ Acknowledgement is made of a claim	for domestic priority under	35 U.S.C. 8 119(c).	
Attachment(s) 18) Interview Summary (PTO-413) Paper No(s). 15) Notice of References Cited (PTO-892) 19 Notice of Informal Patent Application (PTO-152)	Cited (PTO-892)		Interview Summary (PTO-413) Paper No(s).	 52)
15) Notice of References Cited (PTO-892) 16) Notice of Draftsperson's Patent Drawing Review (PTO-948) 17) Information Disclosure Statement(s) (PTO-1449) Paper No(s) Part of Paper) Notice of References Cited (1 10-002) 	- 10-940)	Other:	

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DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the stator device attached to a wiring of the printed circuit board as disclosed in claim 30 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Claim Rejections - 35 USC § 112

- The following is a quotation of the second paragraph of 35 U.S.C. 112:
 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 2. Claims 17, 22 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 17, what is meant by the printed circuit board having "a leads through for said rotor shaft"?

In claim 25, is the lid attachable to both sides of the printed circuit board since the lid is attachable to "another side" of the printed circuit board?

Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.



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4. Claims 16-25, 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimura et al in view of Muto et al.

Kimura et al discloses a shaft drive comprising a printed circuit board (PCB) 28, bearings 43, coils 47, a rotor and stator (see figure 9), a lid 53 which is locked to the printed circuit board.

However, Kimura et al does not disclose that the shaft passes through the PCB.

On the other hand, Muto et al discloses for the purpose of improving movement for an instrument of thin construction that the shaft 11c goes through the printed circuit board 13 (see figure 3).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design a drive shaft as disclosed by Kimura et al and to modify the invention by making a through hole to the PCB for the purpose of improving movement for an instrument of thin construction as disclosed by Muto et al.

5. Claims 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kimura et al in view of Muto et al and ordinary skill in the art.

Kimura et al discloses a shaft drive comprising a printed circuit board 28, bearings 43, coils 47, a rotor and stator (see figure 9), a lid 53 which is locked to the printed circuit board.

However, Kimura et al does not disclose that the shaft passes through the PCB.

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On the other hand, Muto et al discloses for the purpose of improving movement for an instrument of thin construction that the shaft 11c goes through the printed circuit board 13 (see figure 3).

Kimura et al and Muto et al disclose the claimed invention except for the printed circuit board (PCB) facing the dial and pointer. It would have been obvious to one having ordinary skill in the art at the time the invention was made to reverse the location of the PCB, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill the art. In re Einstein, 8 USPQ 167.

Response to Arguments

6. Applicant's arguments with respect to claims 16-32 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio C. Gonzalez whose telephone number is (703) 305-1563. The examiner can normally be reached on M-F (8AM-5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 305-1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Jcg3

November 9, 2001

NESTOR RAMPEZ

BUPETATORY PAINTLY DEMANAP TECHNOLOGY CHAYER 2800